

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3154
Ind. No. 1906/07

Sean Del,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 22, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files ten reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,
Milton L. Williams
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Murray Stenson,

Defendant-Appellant.

M-3247
Ind. No. 2968/07
6143/07

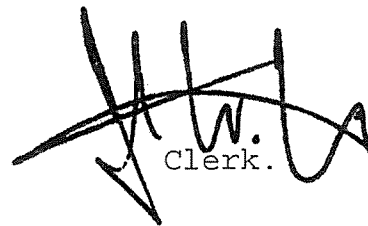
-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 26, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, with leave to renew upon the terms set forth in the order of this Court entered on June 12, 2008 (M-2332), a copy of which is annexed hereto.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 12, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Milton W. Williams
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
The People of the State of New York,
Respondent,

-against-
Murray Stenson,
Defendant-Appellant.

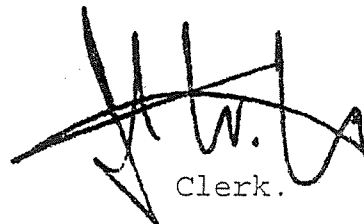
M-2332
Ind. Nos. 2968/07
6143/07

-----X
Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 26, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101, setting forth the amount and sources of monies to pay the fee of trial counsel, Scott M. Schwartz, Esq., and an explanation as to why similar funds are not available to prosecute this appeal. The application shall include an affidavit of the source[s] of all funds utilized by defendant.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
Richard T. Andrias
David B. Saxe, Justices.

-----x
In the Matter of the Petition of
Plaza 43 Associates, a Partnership,
et al.,
Petitioners,

To review a decision of the Tax
Appeals Tribunal, etc.,

M-1197
TAT (E) 93-127 (CR)
TAT (E) 96-79 (CR)
TAT (E) 96-80 (CR)
TAT (E) 99-16 (CR)

-against-

New York City Tax Appeals Tribunal,
New York City Department of Finance,
et al.,
Respondents.

-----x

An original Article 78 proceeding having been brought to review the decision of the respondent New York City Tax Tribunal dated November 15, 2004,

And the parties having submitted a stipulation supporting approval of offer-in-compromise and a stipulation of discontinuance dated April 15, 2008,

And The City of New York Law Department, by Frances J. Henn, Esq., its Senior Counsel, having submitted a stipulation supporting approval of offer-in-compromise pursuant to New York City Charter § 1504 and 19 RCNY § 34-04(f)(2) on July 9, 2008,

Now, upon reading and filing the papers with respect to the motion, and the and due deliberation having been had thereon,

It is ordered that the offer in compromise is approved, and the proceeding is deemed withdrawn pursuant to the stipulations of the parties.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York
ex rel., Jose Caban,

Petitioner-Appellant,

-against-

New York State Division of Parole,

Respondent-Respondent.
-----X

M-3215
Index No. 403772/06

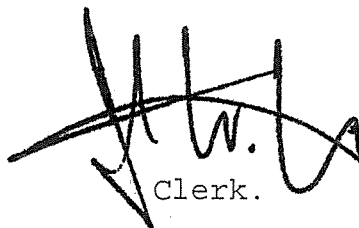
An appeal having been taken from orders of the Supreme Court, New York County, entered on or about November 13, 2006 and April 6, 2007, respectively,

And counsel for appellant having moved to discontinue the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-2976
Ind. No. 2046/98

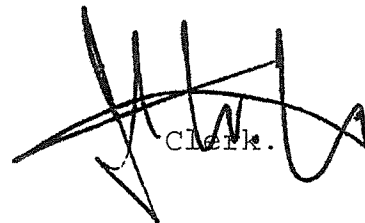
Marcos Rodrigues,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an order dismissing defendant's appeal taken from an order of the Supreme Court, New York County, entered on or about April 27, 2006, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction of this Court,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,

Respondent,

-against-

M-3136
Ind. No. 4390/01

Claudio Sosa,


Defendant-Appellant.
-----X

Counsel for defendant-appellant having moved for an order dismissing defendant's appeal taken from the order of the Supreme Court, New York County, entered on or about August 2, 2006, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction of this Court,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
In the Matter of

Cindy Marie C. and Gina Rachel L.,

Dependent Children under 18 Years
of Age Pursuant to §384-b of the
Social Services Law of the State
of New York.

M-3078
Docket Nos. B3138-9/03

St. Vincent's Services, Inc.,
Petitioner-Respondent,

Rose C.,
Respondent-Appellant.

Steven Banks, Esq.,
Law Guardian for the Children.

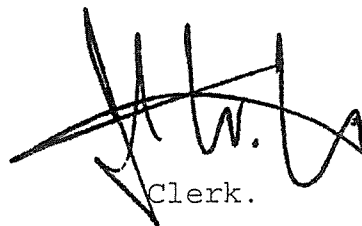
-----X

Petitioner-respondent having moved for dismissal of the appeals taken from the orders of the Family Court, Bronx County, entered on or about May 4, 2006,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted and the appeals are dismissed.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Joseph McCarthy,

Plaintiff-Appellant,

-against-

Sordoni Skanski, Inc., et al.,

Defendants-Respondents.
-----X

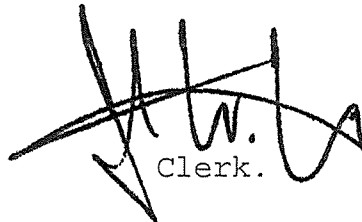
M-3107
Index No. 108486/04

Defendants-Respondents having moved for dismissal of the appeal taken by plaintiff from the order of the Supreme Court, New York County, entered on or about July 3, 2007 (mot. seq. no. 001),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York
ex rel. McKinley Barnes,

Petitioner-Respondent,

-against-

Martin V. Horn, etc., et al.,

Respondents-Appellants.
-----X

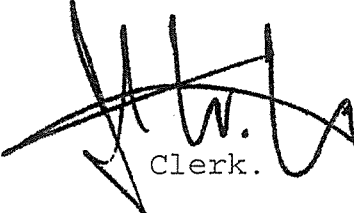
M-3236
Index No. 75093/06

Petitioner having moved for dismissal of the appeal taken by respondents from the order of the Supreme Court, Bronx County, entered on or about April 2, 2007,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from respondents' counsel dated July 7, 2008, and due deliberation having been had thereon,

It is ordered that the motion is granted and the appeal is dismissed on consent.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

Milton Arias, also known as
Milton, Arais,
Defendant-Appellant.

M-2981
Case Nos. 49367C/05
54024C/04

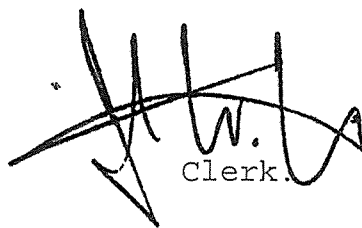
-----X

The People having moved for an order dismissing defendant's appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 22, 2006,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted and the appeal is dismissed.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Danielle Biton, et al.,

Plaintiffs-Appellants,

-against-

M-3087 & M-3144
Index No. 106526/07

Aloft Corporate Travel, Inc.,
et al.,

Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 12, 2008 (mot. seq. no. 001),

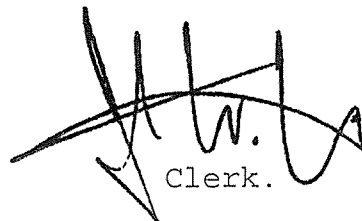
And plaintiffs-appellants having moved for an enlargement of time in which to perfect the aforesaid appeal (M-3087),

And defendants-respondents having cross-moved to dismiss the aforesaid appeal (M-3144),

Now, upon reading and filing the papers with respect to the motion and cross motion, and due deliberation having been had thereon,

It is ordered that the motion is denied. The cross motion is granted and the appeal is dismissed.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,

Appellant,

-against-

M-3197
Ind. No. 6876/06

Raheem Mayo,

Defendant-Respondent.
-----X

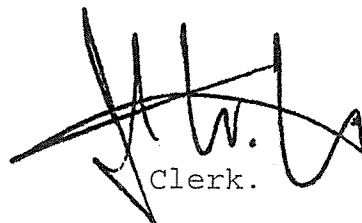
Defendant-respondent having moved for leave to respond, as a poor person, to the People's appeal from an order of the Supreme Court, New York County, entered on or about May 3, 2007, and for assignment of counsel,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for the People and 10 copies thereof are filed with this Court, and (2) assigning, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, as counsel for purposes of responding to the appeal.

It is further ordered that the appeal is adjourned to the November 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3170
Ind. No. 7631/84

Jose Martin Taveras, also known as
Jose Martin Taveres, also known as
Jose Taveras,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of resentence of the Supreme Court, New York County, rendered on or about June 23, 2008, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

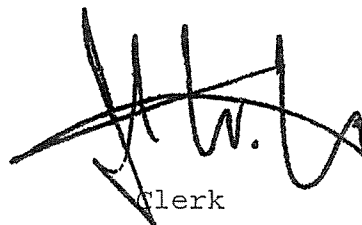
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of resentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

Steven Thomas,
Defendant-Appellant.

M-3007
Ind. No. 1131/07
3193/06

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 4, 2008, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

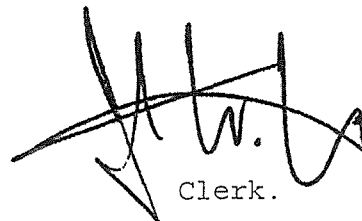
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3190
Ind. No. 5063/06

Jose Torres,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about April 4, 2008, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

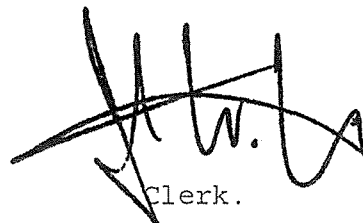
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
James M. Catterson, Justices.

-----X
The People of the State of New York,
Respondent,

-against- M-3056
Ind. No. 5958/06

Oscar Sierra,
Defendant-Appellant.
-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 31, 2007, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

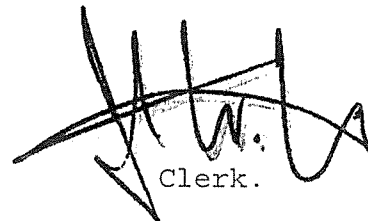
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
In the Matter of the Application of
John Covington,
Petitioner-Appellant,

For a Judgment Pursuant to Article
78 of the CPLR,

M-3152
Index No. 402774/04

-against-

Sgt. John Sultana, Sgt. James Russo
and Fred Hippolyte,
Respondents-Respondents.

-----X

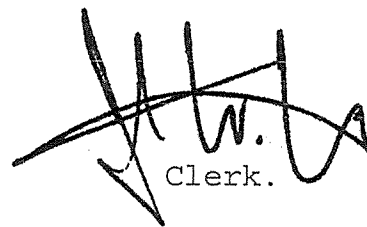
Petitioner having moved for leave to prosecute, as a poor person, the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 10, 2008 (mot. seq. no. 001), for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the District Attorney of said county and file 10 reproduced copies of such brief, together with the original record, with this Court.

The Clerk of Supreme Court, New York County, is directed to accept filing without fee and no supervision fee.

ENTER:

A handwritten signature in black ink, appearing to be 'H.W. La', is written over the typed name 'Clerk.'. The signature is stylized and somewhat illegible due to overlapping strokes.

Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York
ex. rel. Lawrence Wright,
Petitioner-Appellant,

-against-

Warden, Riker's Island Correctional
Facility and New York State Division
of Parole,

Respondents.

M-3052

Index Nos. 51010/07
75082/07
51769/07
340253/08

-----X
Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about March 13, 2007 (Index No. 51010/07), June 8, 2007 (Index No. 75082/07), October 10, 2007 (Index No. 51769/07) and April 8, 2008 (Ind. No. 340253/08), respectively,

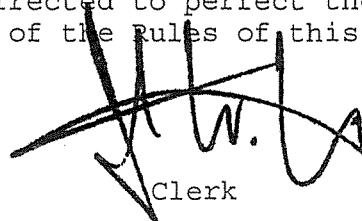
And defendant having moved for leave to prosecute, as a poor person, the appeal(s) from said orders, for leave to have the appeal(s) heard on the original record(s) and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal(s), which are sua sponte consolidated, to be heard on the original record(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of the State of New York and files 10 reproduced copies of such brief, together with the original record(s), with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record(s).

Pursuant to Section 35 of the Judiciary Law, Steven Feinman, Esq., Court Plaza, Suite 201, White Plains, New York 10601, Tel. No. 914-949-8214, is assigned as counsel for petitioner-appellant for purposes of the appeal(s). Counsel is directed to perfect the appeal(s) in accordance with Rule 600.18 of the Rules of this Court.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,

Respondent,

-against-

M-3182
Ind. No. 2066/07

Ernesto Abreu,

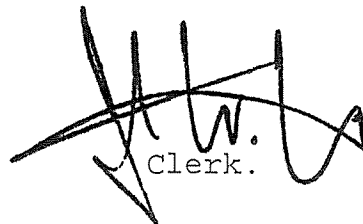
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 6, 2008, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay the fee of trial counsel, Jack G. Goldberg, Esq., and to post the \$5,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3156
Ind. No. 11990/91

John Jackson,
Defendant-Appellant.

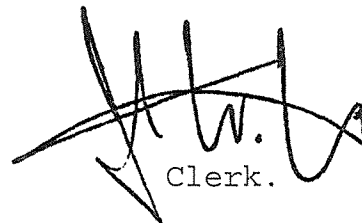
-----X

An order of this Court having been entered on April 13, 2006 (M-1537) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 18, 2006, and assigning Richard M. Greenberg, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel; to hold the appeal in abeyance until a decision is rendered on defendant's motion in the lower court for a transcript settlement hearing and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3353
Ind. No. 894/06

Jose Nunez,
Defendant-Appellant.

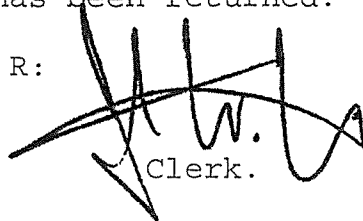
-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about July 18, 2006, having moved for leave to file a pro se supplemental brief and for related relief, and said appeal having been perfected,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of directing defendant to serve and file 10 copies of his pro se supplemental brief on or before September 29, 2008 for the December 2008 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3373
Ind. No. 3998/06

Benjamin Santiago,
Defendant-Appellant.

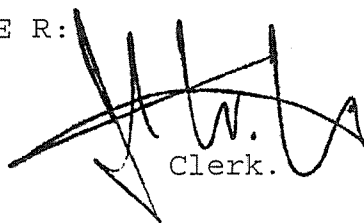
-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 26, 2007, having moved for leave to file a pro se supplemental brief and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of directing defendant to serve and file 10 copies of his pro se supplemental brief on or before October 27, 2008 for the January 2009 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

E N T E R:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
In the Matter of

Jayden R.,

A Dependent Child under 18 Years of Age Pursuant to §384-b of the Social Services Law of the State of New York.

Catholic Home Bureau for Dependent Children, et al.,
Petitioners-Respondents,

M-3024
Docket No. B-4185/06

Luis R., also known as
Luis Ignacio R.,
Respondent-Appellant.

Steven Banks, Esq.,
Law Guardian for the Child.

-----X

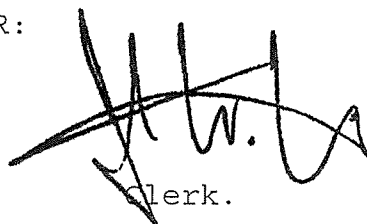
An appeal having been taken from the order of the Family Court, New York County, entered on or about May 18, 2007,

And respondent-appellant having moved for an enlargement of time in which to perfect the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2008 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
In the Matter of the Application of

David Joseph,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-3194
Index No. 111207/06

Raymond Kelly, as Police Commissioner
of the City of New York, and as
Chairman of the Board of Trustees of
the Police Pension Fund, Article II,
The Board of Trustees of the Police
Pension Fund, Article II, New York
City Police Department and The City
of New York,
Respondents-Respondents.

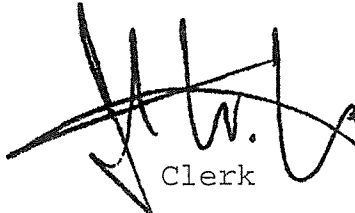
-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about August 28, 2007,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2008 Term.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Dwight Brown, an infant by his mother
and natural guardian Cynthia Johnson,
and Cynthia Johnson, Individually,

Plaintiffs-Appellants,

-against-

M-3299
Index No. 24949/05

Minerva G. Muniz and Oscar Muniz,

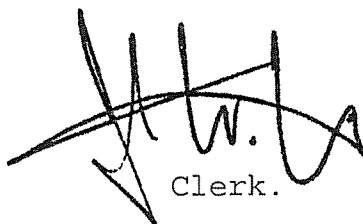
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect his appeal from an order of the Supreme Court, Bronx County, entered on or about August 10, 2007,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Ernest E. Pascucci, as Testator of
the Estate of Ernest C. Pascucci,
deceased, and Ernest E. Pascucci,
individually,
Plaintiffs-Appellants,

-against-

M-3300
Index No. 111990/99

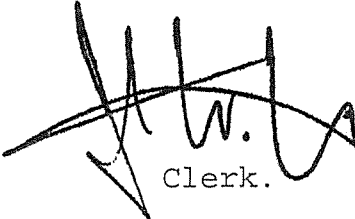
Agnes Wilke, M.D.,
Defendant-Respondent.
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect their appeal from an order of the Supreme Court, New York County, entered on or about July 24, 2007 (mot. seq. no. 004),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Adler, L., et al.,
Plaintiffs-Appellants,

-against-

M-3544
Index No. 603766/06

Gad Janay, et al.,
Defendants-Respondents.
-----X

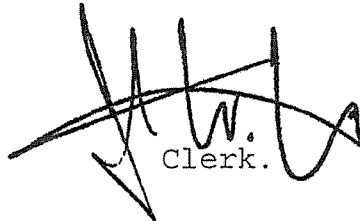
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 22, 2007,

And plaintiffs-appellants having moved for an enlargement of time in which to perfect their appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Nancy Lamot, etc.,
Plaintiff-Respondent-Appellant,

-against-

M-3305
Index No. 25930/97

The City of New York,
Defendant-Appellant-Respondent,

-and-

LA Peninsula Community Organization,
Inc., doing business as LA Peninsula
Head Start Program,
Defendant.

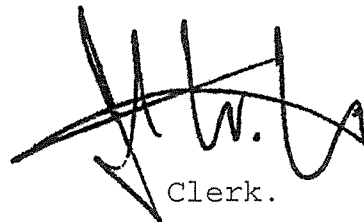
-----X

Defendant-appellant having moved for an enlargement of time of the respective parties in which to perfect the appeal and cross appeal from a judgment of the Supreme Court, Bronx County, entered on or about December 21, 2006,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time of the respective parties in which to perfect the appeal and cross appeal to the November 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Milciades Read,
Plaintiff-Appellant,

-against-

M-2900 & M-3001
Index No. 14580/05

Arturo Rosado and Alejandro
Rodriguez,
Defendants-Respondents,

John Barrett and Anne M. Barrett,
Defendants-Respondents.

-----X

Appeals having been taken from the orders of the Supreme Court, Bronx County, entered on or about January 8, 2007 and October 16, 2007 (decision dated August 7, 2007), granting summary judgment to the respective defendants-respondents,

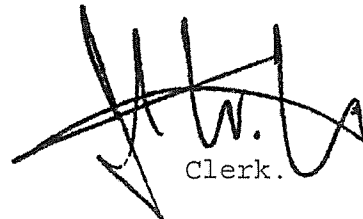
And plaintiff-appellant having moved for an enlargement of time in which to perfect the aforesaid appeals (M-2900),

And defendants-respondents Rosado and Rodriguez having cross-moved to dismiss the aforesaid appeal from the order of Supreme Court, New York County, entered on or about October 16, 2007 (M-3001),

Now, upon reading and filing the papers with respect to the motion and cross motion, and due deliberation having been had thereon,

It is ordered that the motion and cross motion are granted to the extent of enlarging the time of plaintiff-appellant in which to perfect both appeals herein to the November 2008 Term, for which Term appellant is directed to so perfect. Upon failure to so perfect, an order dismissing the aforesaid appeals may be entered ex parte, provided respondents(s) serve a copy of this order upon the appellant within 10 days after the date of entry hereof.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Yasha Pinkhasov,
Plaintiff-Appellant,

-against-

M-3178
Index No. 117524/05

Junior Weaver, Myna Taxi, Inc.
and Gavriel Pinkhasov,
Defendants-Respondents.

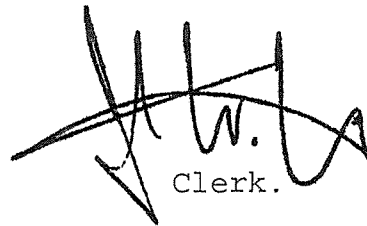
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about October 24, 2007 (mot. seq. no. 002),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Stacey F. Zimmerman, as Personal
Representative of the Estate of
Norman Forin,
Plaintiff-Respondent,

-against-

M-3210
Index No. 104952/06

A.W. Chesterton Co., Inc., et al.,
Defendant,

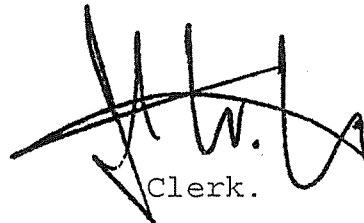
John Crane, Inc.,
Defendant-Appellant.

-----X
Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about July 23, 2007 (mot. seq. no. 001),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of enlarging appellant's time in which to perfect the appeal to on or before September 29, 2008 for the December 2008 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
William Vera, as Administrator of
the Estate of Elba Vera, deceased,
and William Vera, individually,
Plaintiff-Appellant,

M-3227
Index No. 22539/00

-against-

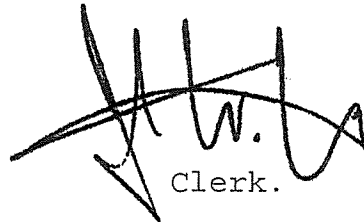
Montefiore Medical Center, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 18, 2007,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of enlarging appellant's time in which to perfect the appeal to the December 2008 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
David Santos, Yvonne Baez, as
Administratrix of the Estate of infant
Lizette Santos, Deceased,
Plaintiffs-Appellants,

Santiago Santos as Administrator of the
Estate of Myrna Santos, and Santiago
Santos, Individually,
Plaintiffs-Appellants,

M-3295
Index No. 8631/03

-against-

Ford Motor Company and Action Nissan, Inc.,
Defendants-Respondents.

-----X


Separate appeals having been taken from the judgment of the Supreme Court, Bronx County, entered on or about May 31, 2007,

And plaintiffs-appellants David Santos, et al., having moved for an enlargement of time in which to perfect their appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging to the December 2008 Term the time of appellants in which to perfect their respective appeals.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3361
Ind. No. 6180/06

Antonio Edison,
Defendant-Appellant.

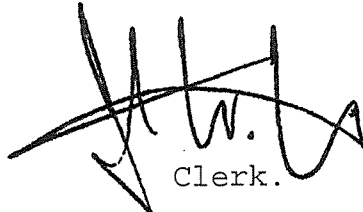
-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 11, 2007,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2008 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,

Respondent,

-against-

M-3369
Ind. No. 4024/06

Wilkin Beliard, also known as
Wilkin Belliard,

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 31, 2007,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2008 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3371
Ind. No. 3771/95

Marisol Araud,
Defendant-Appellant.

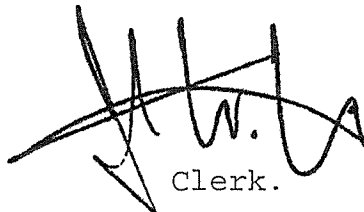
-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 27, 2007,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to on or about September 29, 2008 for the December 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Iris Melendez, as Administrator
of the Estate of Custodia Marrero,
Plaintiff-Respondent/
Respondent-Appellant,

-against-

M-3275
Index No. 12112/92

The City of New York,
Defendant-Appellant/
Appellant-Respondent.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, entered on or about January 3, 2007 and an appeal and cross appeal having been taken from the order of said Court entered on or about July 6, 2007, respectively,

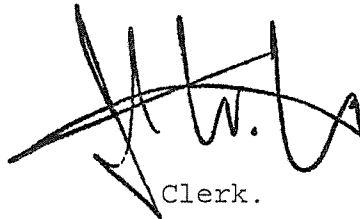
And an order of this Court having been entered on December 18, 2007 (M-5614), inter alia, consolidating the appeals and cross appeal,

And defendant-appellant having moved for an enlargement of time in which to perfect the consolidated appeals and cross appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time of the parties in which to perfect the consolidated appeals and cross appeal to the December 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Felicito Ramirez,
Plaintiff-Appellant,

-against-

M-2990
Index No. 122538/00

Willow Ridge Country Club, Inc.
and E.W. Howell Co., Inc.,
Defendants-Respondents.

-----X
Willow Ridge Country Club, Inc. and
E.W. Howell Co., Inc.,
Third-Party Plaintiffs-Respondents,

-against-

Index No. 590774/01

Falcon Industries, Inc. and Alan
Freeman & Associates,
Third-Party Defendants.

-----X

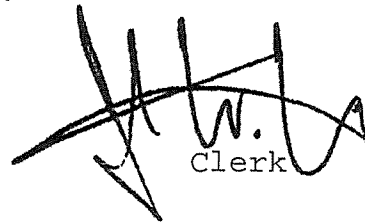
An appeal having been taken to this Court from an amended order of the Supreme Court, New York County, entered on or about July 30, 2007 (mot. seq. no. 010),

And plaintiff having moved for an enlargement of time in which to perfect the appeal and to enlarge the record on appeal to include a transcript of proceedings held before Justice Barbara R. Kapnick on March 7, 2007,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted and the time in which to perfect the appeal is enlarged to the December 2008 Term. Plaintiff-appellant is permitted to include a transcript of the proceedings held before Justice Barbara R. Kapnick on March 7, 2007 as part of the record on appeal.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Captain Lori Albunio, et al.,
Plaintiffs-Respondents,

-against-

M-3555
M-3476

The City of New York and New York
City Police Department,

Defendants-Appellants,

Action No. 1
Index No. 113037/03

-and-

Inspector James Hall, etc., et al.,
Defendants.

-----X
Robert Sorrenti,
Plaintiff-Respondent,

-against-

Action No. 2
Index No. 126981/02

The City of New York and New York
City Police Department,
Defendants-Appellants,

-and-

Inspector James Hall, etc., et al.,
Defendants.

-----X

Appeals having been taken by municipal appellants in Actions No. 1 and 2 from the consolidated order of the Supreme Court, New York County, entered on or about August 30 2007, the amended orders and judgments (one paper) of said court entered on or about November 8, 2007 and November 9, 2007, and from the second amended order and judgment (one paper) of said court entered on or about November 8, 2007, respectively,

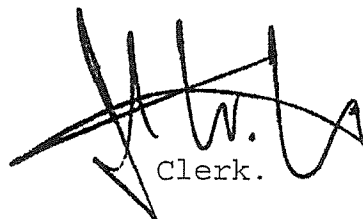
And municipal appellants having moved for enlargement of time in which to perfect the aforesaid appeals and for consolidation of said appeals (M-3555),

And plaintiff-respondent Robert Sorrenti in Action No. 2 having cross-moved for, inter alia, dismissal of the aforesaid appeals or, for alternative relief (M-3476),

Now, upon reading and filing the papers with respect to the motion and cross motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeals, which are consolidated, to the December 2008 Term. The cross motion is denied, without prejudice to respondent seeking an enlargement of time in which to serve and file a respondent's brief subsequent to receipt of appellant's brief. Upon failure to so perfect, an order dismissing the consolidated appeals may be entered ex parte, provided that respondent serves a copy of this order upon appellant within 10 days from the date of entry hereof.

E N T E R:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Milton L. Williams, Justices.

-----X
Tag 380, LLC,
Plaintiff-Appellant,

-against-

M-2987
Index No. 101396/04

Howard P. Ronson,
Defendant-Respondent,

Commet 380, Inc., et al.,
Defendants.

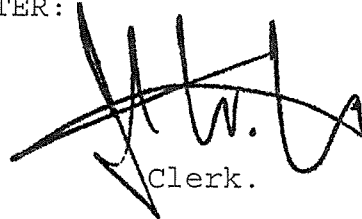
-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 6, 2008 (Appeal No. 3616N),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Milton W. Williams, Justices.

-----X
Marc Curtis,

Plaintiff-Appellant,

-against-

Edmond Brent,

Defendant-Respondent.
-----X

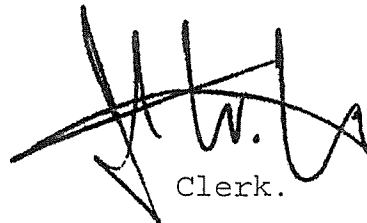
M-3019
Index No. 20903/05

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 6, 2008 (Appeal No. 3603),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,

Respondent,

SEALED

-against-

M-3137

Ind. No. 1831/05

Anonymous,

Defendant-Appellant.

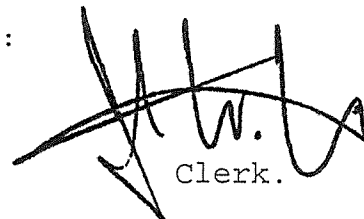
-----X

Defendant-appellant having moved for an order granting movant anonymity in connection with an appeal from a judgment of the Supreme Court, New York, rendered on or about August 29, 2006, designating the case as *People v Anonymous*, and sealing the Supreme Court record and the record on appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted and the original record and record on appeal and briefs are sealed. The Clerk is directed to calendar the appeal under *People v Anonymous*.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
HSBC Bank USA, etc.,

Plaintiff,

-against-

M-3293
Index No. 381187/07

Stella Safori, et al.,

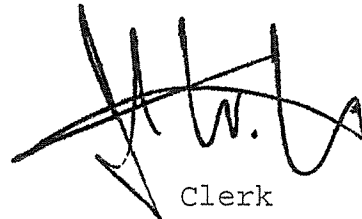
Defendants.
-----X

Plaintiff having moved, pursuant to CPLR 5704(a), for the appointment of a referee to ascertain and compute the amount of certain funds and for other relief, said relief having been denied by a Justice of the Supreme Court on or about May 12, 2008,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----x

In the Matter of the Appointment of a
Successor Trustee of

Seed Trust, Hanke Trust,
Matthews Trust No. 1 and
Matthews Trust No. 2,

M-3145
Index Nos. 402799/06
402800/06
402801/06
402802/06

Paul W. Mourning,
Petitioner-Appellant,

William T. Seed, G.F. Robert Hanke and
William Morrison Matthews,
Respondents-Respondents,

The Bank of New York and Attorney
General of the State of New York,
Respondents.

-----x

In the Matter of the Appointment of a
Successor Trustee of an Express Trust
for the Benefit of William T. Seed as
Life Income Beneficiary under Indenture
dated June 30, 1964, hereinafter referred
to as the

SEED TRUST,

Index No. 402799/06

made with Jean Flagler Mook (formerly
Jean Louise Flagler Matthews), now
Deceased, as Grantor.

-----x

-----X
 In the Matter of the Appointment of a
 Successor Trustee of an Express Trust
 for the Benefit of George Frederick Robert
 Hanke as Life Income Beneficiary under
 Indenture dated August 20, 1957,
 hereinafter referred to as the

HANKE TRUST,

Index No. 402800/06

made with Jean Flagler De Fina (formerly
 Jean Louise Flagler Matthews), now
 Deceased, as Grantor.

-----X
 In the Matter of the Appointment of a
 Successor Trustee of an Express Trust
 for the Benefit of George Gregory
 Matthews as Life Income Beneficiary
 under Indenture dated August 20, 1957,
 hereinafter referred to as the

MATTHEWS TRUST NO. 2,

Index No. 402801/06

made with Jean Flagler De Fina (formerly
 Jean Louise Flagler Matthews), now
 Deceased, as Grantor.

-----X
 In the Matter of the Appointment of a
 Successor Trustee of an Express Trust
 for the Benefit of William Morrison
 Matthews as Life Income Beneficiary
 under Indenture dated August 20, 1957,
 hereinafter referred to as the

MATTHEWS TRUST NO. 1,

Index No. 402802/06

made with Jean Flagler De Fina (formerly
 Jean Louise Flagler Matthews), now
 Deceased, as Grantor.

-----X


Appeals having been taken to this Court from orders
of the Supreme Court New York County, entered on or about
November 29, 2007,

And petitioner-appellant having moved for consolidation
of the aforesaid appeals,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting petitioner-appellant to prosecute the appeals upon 10 copies of one record and one set of appellant's points covering the appeals.

ENTER:

A handwritten signature in black ink, appearing to be "J.W.L.", written over a horizontal line. The signature is stylized and somewhat illegible.

Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X

In the Matter of the Application of

Kay K. Bourabah,
Petitioner-Appellant,

M-3434
Index No. 405818/07

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

New York State Division of Housing
and Community Renewal and
Southbridge Towers, Inc.,
Respondents-Respondents.

-----X

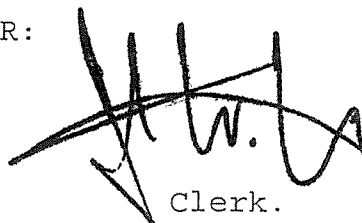
An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 6, 2008,

And petitioner-appellant having moved for a stay of the related Civil Court holdover proceedings *Southbridge Towers v Bourabah*, L&T No. 8032/07, pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Cindy Yuen,
Plaintiff-Respondent,

-against-

M-3235
Index No. 108379/06

Kwan Kam Cheng and Tong Tsang Lau,
Defendants-Appellants,

Henry Lee Fong,
Defendants.

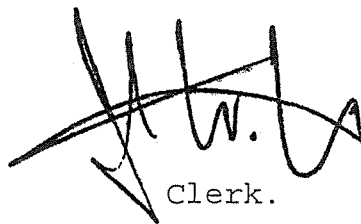
-----X

Defendants-appellants having moved for a stay of the order of the Supreme Court, New York County, entered on or about May 16, 2008 (mot. seq. no. 001), pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
In the Matter of the Application of

Tacos Ricos Corp.,
Petitioner,

For a Judgment Pursuant to Article 78
of the CPLR,

M-3201
Index No. 104240/08

-against-

New York State Liquor Authority,
Respondent.

-----X

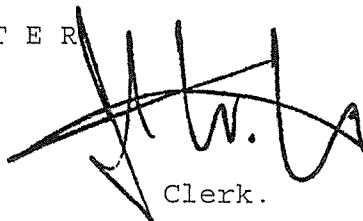
An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about June 19, 2008 (mot. seq. no. 001), to review a determination of respondent,

And petitioner having moved for a stay of license cancellation enforcement pending hearing and determination of the aforesaid proceeding,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of continuing the interim relief afforded petitioner by the order of a Justice of this Court, dated June 27, 2008, on condition that the proceeding is perfected on or before September 2, 2008 for the November 2008 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondent serves a copy of this order upon petitioner within 10 days after the date of entry hereof.

E N T E R



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Emily Rivera,
Plaintiff-Respondent,

-against-

M-3223
Index No. 26549/00

The City of New York,
Defendant,

New York City Housing Authority,
Defendant-Appellant.

-----X
New York City Housing Authority,
Third-Party Plaintiff-Appellant,

-against-

Third-Party
Index No. 42022/03

Gazebo Contracting, Inc.,
Third-Party Defendant-Respondent.

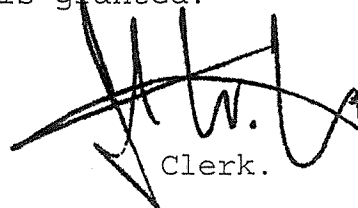
-----X

Defendant/third-party plaintiff-appellant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about December 21, 2007,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
In the Matter of the Application of

Prince T. Alarape,
Petitioner,

For a Judgment Pursuant to Article 78 M-3587
of the Civil Practice Law and Rules, Index No. 105387/07

-against-

New York City Department of Housing
Preservation and Development (HPD),
et al.,

Respondents.

-----X

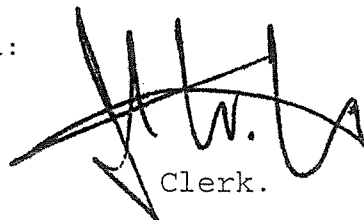
An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about August 23, 2007 (mot. seq. no. 001), to review a determination of respondents,

And petitioner having moved for a stay of eviction pending hearing and determination of this perfected Article 78 proceeding,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted on the same terms and conditions contained in the order of a Justice of this Court dated July 22, 2008.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
American Banknote Corporation, et al.,
Plaintiffs,

-against-

M-3370
Index No. 115446/05

Hernan Daniel Daniele, et al.,
Defendants.
-----X

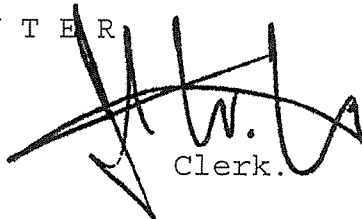
A purported appeal having been taken from the order of a Justice of the Supreme Court, New York County, dated June 19, 2008,

And plaintiffs-respondents having moved for a stay of purported discovery pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court, dated July 9, 2008, is hereby vacated. Sua sponte, the purported appeal is dismissed.

E N T E R


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on August 12, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Fred Moshy,
Plaintiff-Appellant,

M-3433

-against-

Index Nos. 312694/94
302859/08

Diana Moshy,
Defendant-Respondent.

-----X

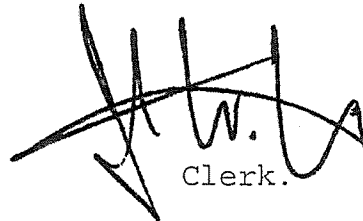
An appeal having been taken from the order of the Supreme Court, New York County (Index No. 312694/94), entered on or about June 3, 2008,

And plaintiff-appellant having moved for a stay of the aforesaid order, for a preference in the hearing of the appeal, and for poor person relief, pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
All American Crane Service, Inc., et al.,
Plaintiffs-Respondents,

-against-

M-3228
Index No. 108032/08

Ashraf Omran, Executive Director of
the Cranes & Derricks Division of the
Department of Buildings of the City
of New York, et al.,
Defendants-Appellants.

-----X

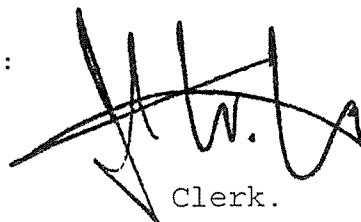
Municipal-defendants having taken an appeal from the order of the Supreme Court, New York County, entered on or about June 26, 2008,

And plaintiffs-respondents having moved pursuant to CPLR 5519(c) for vacatur of the stay of enforcement and/or proceedings asserted by municipal defendants-appellants pursuant to CPLR 5519(a) subd.1.,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted insofar as to declare the automatic stay provision of CPLR 5519(a) subd.1. inapplicable herein as the injunction challenged is prohibitory in nature. The effect of this order is stayed for 30 days from the date hereof to permit the municipal appellants an opportunity to seek a discretionary stay pursuant to CPLR 5519(c).

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
John T. Buckley
John W. Sweeny, Jr.
James M. McGuire, Justices.

-----X
The People of the State of New York,
by Eliot Spitzer, the Attorney General
of the State of New York,
Plaintiff-Respondent,

-against-

M-2709
Index No. 401620/04

Richard A. Grasso, et al.,
Defendants,

Kenneth G. Langone,
Defendant-Appellant.

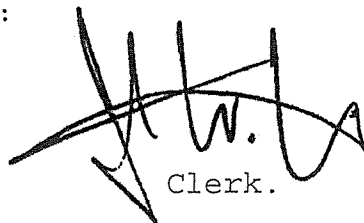
[And Other Actions]

-----X
Defendant-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 24, 2008 (Appeal No. 9478),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied as academic.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Luis A. Gonzalez
Eugene Nardelli, Justices.

-----x
The Urban Homesteading Assistance
Board, Housing Development Fund
Corporation,
Plaintiff-Respondent,

-against-

M-3037
Index No. 106057/05

Alfredo Barreto, et al.,
Defendants-Appellants.
-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 25, 2006,

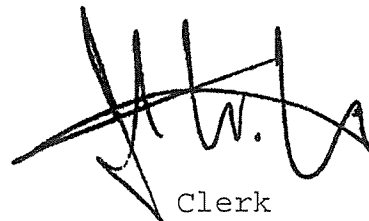
And an order of this Court having been entered on April 24, 2007 (M-273/M-596), inter alia, referring the matter for a traverse hearing with respect to the issue of timely service of the notice of appeal,

And plaintiff-respondent having moved, pursuant to CPLR 4403, for an order confirming the report and recommendation of the referee with respect to the aforesaid matter,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted, the report and recommendation of the referee is confirmed and the appeal is dismissed.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. David B. Saxe, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
The Vanderbilt Group, LLC,

Plaintiff-Appellant,

-against-

M-2982
Index No. 115130/01

The Dormitory Authority of the State
of New York,


Defendant-Respondent.
-----X

Defendant-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 13, 2008 (Appeal No. 3665),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Eugene Nardelli, Justice Presiding,
Milton W. Williams
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----X
Steven Tanger,
Plaintiff-Respondent,

-against-

M-1824
Index No. 116838/05

Alfred Ferrer III, et al.,
Defendants-Appellant.
-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 4, 2008 (Appeal No. 2987),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present - Hon. James M. Catterson, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3167
Ind. No. 4640/06

James Glover,
Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 6, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. James M. Catterson
Justice of the Appellate Division

-----X
The People of the State of New York,

M-3092
Ind. No. 8439/94

-against-

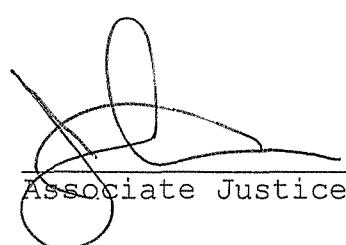
CERTIFICATE
DENYING LEAVE

Nyeem Adams,

Defendant.

-----X

I, James M. Catterson, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about May 23, 2008, is hereby denied.



Associate Justice

Dated: July 30, 2008
New York, New York

ENTERED: August 12, 2008

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

-----X
The People of the State of New York,

M- 3225
Ind. No. 261/79;
427/79.

-against-

CERTIFICATE
DENYING LEAVE

Ramon Alvarez,
Defendant.

-----X

I, Dianne T. Renwick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May 29, 2008, is hereby denied.



Hon. Dianne T. Renwick
Associate Justice

Dated: August 6, 2008
New York, New York

ENTERED: August 12, 2008

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

-----X

The People of the State of New York,

-against-

Michael Argentieri,
Defendant.

M-3346
Ind. No. 4081/2006

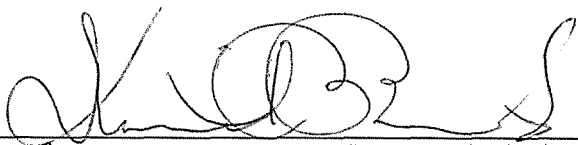
ORDER DENYING LEAVE
UPON REARGUMENT

-----X

I, Dianne T. Renwick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-2217), entered on June 17, 2008, which denied his motion for a certificate pursuant to Criminal Procedure Law, section 460.15, and no question of law or fact having been misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of the Supreme Court, New York County, entered on or about April 1, 2008 is hereby denied.

Dated: August 6, 2008
New York, New York

ENTERED: August 12, 2008


Justice of the Appellate Division

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Robert J. A. Zito,
Plaintiff-Respondent,

-against-

M-3540
Index No. 602308/04

Fischbein Badillo Wagner Harding,
et al.,
Defendants-Respondents,

Nimkoff Rosenfeld & Schechter, LLP,
Non Party-Appellant.

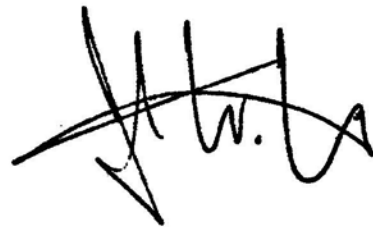
-----X

Plaintiff-respondent having moved for an order dismissing the appeal taken from the orders of the Supreme Court, New York County, rendered on or about March 11, 2008 and March 17, 2008 (mot. seq. no. 052), respectively,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied and respondent is granted leave to file a supplemental record on appeal on or before September 3, 2008 for the October 2008 Term, to which Term the appeal is adjourned.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on August 12, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Judith Nostrom, as personal
representative for the Estate of
Donald Nostrom, and Judith Nostrom,
individually,
Plaintiffs-Respondents,

-against-

M-3509
Index No. 102120/07

A.W. Chesterton Co., et al.,
Defendants,

Consolidated Edison Company of
New York, Inc. ("Con Edison"),
Defendant-Appellant.

-----X
Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about July 15, 2008 (mot. seq. no. 022),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Arnold J. Mars,
Plaintiff-Appellant,

-against-

M-3614
Index No. 116675/03

Robert Z. Dobrish, Esq., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 8, 2007,

And defendants-respondents having moved for an order striking appellant's record on appeal and dismissal of the aforesaid appeal, or for alternative relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of directing appellant to submit a supplemental record, including the affirmation in opposition of Raunak Kothari, dated July 21, 2006, on or before September 2, 2008 for the November 2008 Term, to which Term the appeal is adjourned. The motion is otherwise denied.

E N T E R:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Teresa Perez-Frangie,
Petitioner,

For a Judgment, etc.,

M-3542
Index No. 100876/08

-against-

Shaun Donovan, et al.,
Respondents.

Glenn Gardens Associates, L.P.,
Non-Party Landlord.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about May 13, 2008, to review a determination of respondents,

And non-party landlord having moved to vacate a stipulation of adjournment "so ordered" by a Judge of the Civil Court of the City of New York on or about June 11, 2008,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of directing petitioner to perfect the proceeding on or before September 29, 2008 for the December 2008 Term. Upon failure to so perfect, an order dismissing the proceeding may be entered ex parte, provided that respondents serve a copy of this order upon petitioner within 10 days after the date of entry hereof.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Double Fortune Property Investors Corp.,
on behalf of 150 Lafayette Street
Property Investment Co., LP,
Plaintiff-Respondent,

M-3350
Index No. 602568/07

-against-

Michael R. Gordon,
Defendant-Appellant.

-----X

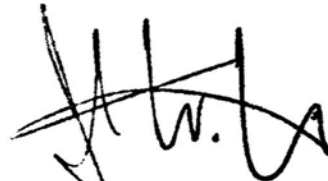
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 10, 2008 (mot. seq. no. 002),

And defendant-appellant having moved for a declaration of a stay of enforcement of the aforesaid order pursuant to CPLR 5519(a)(5) or, in the alternative, for a discretionary stay pursuant to CPLR 5519(c),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of granting defendant-appellant a stay of enforcement of the aforesaid order pending hearing and determination of the appeal pursuant to CPLR 5519(c).

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Nazario Leon,

Plaintiff-Respondent,

-against-

St. Vincent De Paul Residence,

Defendant-Appellant.
-----X

M-3700
Index No. 16194/05

Defendant-appellant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about January 26, 2008,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Cavan Development Corp.,
Plaintiff,

-against-

AJS Project Management Corp.,
doing business as Matrix Construction
Company, et al.,
Defendants.

-----X
(and another action)
-----X

M-3724
Index No. 601677/06

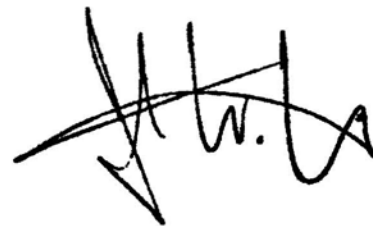
Index No. 603738/07

Defendants having moved, pursuant to CPLR 5704(a), for an order of this Court granting certain relief denied by a Justice of the Supreme Court, New York County, on or about July 29, 2008,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 12, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3203
Ind. No. 4854/03

Steven Mears,
Defendant-Appellant.

-----X

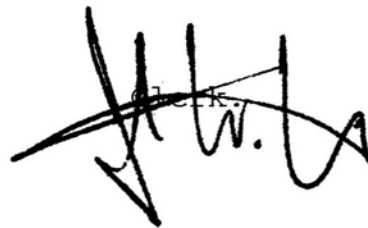
An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about August 22, 2005,

And defendant-appellant having moved for an order enlarging the judgment roll to include, and directing the court reporter(s) to transcribe, the victim's toxicology report,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

A handwritten signature in black ink, appearing to be "J.W.S.", written over a faint, partially obscured printed name "John W. Sweeny, Jr.".